



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



LETTER OF COMPLIANCE

December 16, 2003

David & Jodie Meyers
31 Lost Mine Place
Ridgefield, CT 06817

RE: File #2000-00966, 1 Sturtevant Cove Road, Center Harbor

Dear Mr. & Mrs. Meyers:

On November 12, 2003, the Department of Environmental Services ("DES") received information relative to the above-referenced property, more specifically referenced on Town of Center Harbor Tax Map 6 as Lot 31 (the "Property"). The information was submitted in response to an outstanding wetlands violation on the above-referenced property. DES personnel reviewed the file to determine compliance with RSA 482-A and applicable rules adopted under that statute, and specifically whether the deficiencies noted in Letter of Deficiency WET 2002-35 ("LOD") issued to you on September 26, 2002, have been addressed.

As a result of this review, it was determined that the deficiencies described in the LOD have been corrected. DES will close its enforcement file regarding the Property at this time. DES reserves the right to reopen this matter should additional information be received regarding additional violations on the Property.

In response to the request for relocating the seasonal dock, DES has completed a review of the file and has determined the proposal meets the rules for a seasonal dock. Please be advised this approval is based on the following conditions and failure to meet these conditions will be construed as a violation.

1. The dock shall be located in accordance with the plan dated October 31, 2002 and received by DES on November 25, 2002.
2. The seasonal dock shall remain in compliance with all criteria in Wt 402.05 This means that it must:
 - a. be designed to be installed at the beginning and removed at the end of the boating season;
 - b. be removed from the water for a minimum of 4 months of every calendar year;
 - c. be designed and placed in the water so as not to obstruct navigation;
 - d. be located on a property having at least 75 feet of shoreline frontage;
 - e. be the only structure on the property's shoreline frontage and all portions of the dock shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water;

- f. be of a standard configuration that is narrow, rectangular, and erected perpendicular to the shoreline; and
- g. be no larger than 6 feet wide and 40 feet long (if on a water body greater than 1,000 acres) or no larger than 6 feet wide and 30 feet long (if on a water body that is less than 1,000 acres in size).

- 3. The seasonal dock shall not impact wetlands along or adjacent to the shoreline;
- 4. This permit shall not preclude the department from taking any enforcement action if the department later determines that the application was incomplete or the application misstated the facts material to permitting of the project;
- 5. Installation of a seasonal dock shall not require modification, regrading, recontouring of the shoreline, such as, for example, installation of a concrete pad for construction of a hinged dock;
- 6. Construction or modification shall be undertaken in compliance with RSA 483-B, the Comprehensive Shoreland Protection Act.

Please be advised that further work in wetlands, waters of the state, the upland tidal buffer zone, the bank, flat, sand dune, or other areas of jurisdiction of the Department requires a posted, approved permit prior to carrying out such work.

Thank you for your assistance to bring this matter to a resolution. Should you have any questions, please contact the Wetlands Bureau at (603) 271-2147.

Sincerely,

COPY

Jeffrey D. Blecharczyk
Senior Enforcement Officer
DES Wetlands Bureau

cc Center Harbor Conservation Commission
Center Harbor Board of Selectmen
DES Legal Unit